

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION**

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>CIVIL ACTION NO. 69-14430</b>
	)	
	)	<b>Judge Drell</b>
CATAHOULA PARISH SCHOOL BOARD, <i>et al.</i>	)	
	)	
Defendants.	)	
_____	)	

**RESPONSE TO JANUARY 24, 2019, ORDER**

The United States respectfully submits this response to this Court’s January 24, 2019, Order requiring the parties to review a Now This News video report posted on Youtube.com and address two issues raised in the video: (1) use of unqualified teachers at Block High School, and (2) disparity among physical conditions at Catahoula Parish schools.

**I. Procedural History of Case**

The United States initiated this lawsuit against the Catahoula Parish School Board (“the District”) on February 10, 1969, seeking to enjoin the District from operating a dual school system based on race. On July 29, 1969, this Court ordered the District to effectuate a desegregation plan designed to disestablish the dual school system that existed in the District, and permanently enjoined the District from discriminating on the basis of race or color in the operation of the school system. The order, amended on August 31, 1970, established ten schools: Manifest Elementary (K-8); Enterprise High (K-12); Jonesville Jr. High (6-8); Jonesville Elementary (K-5); Block High (9-12); Sicily Island Elementary (1-4); Martin Jr. High (5-8); Sicily Island High (9-12); Central High (K-12); and Harrisonburg High (1-12).

On August 7, 1980, this Court granted the District's motion to reconfigure the Jonesville schools as follows: Jonesville Elementary (K-4); Jonesville Jr. High (6-7); and Block High (8-12).

On August 23, 1993, this Court authorized the District to implement a new Student Enrollment and Transfer policy. On April 6, 2009, this Court further authorized the District to amend its Student Enrollment and Transfer policy. ECF Doc. No. 6.

On July 7, 1994, by order amended on July 16 and July 19, 1994, this Court authorized the District to: close Enterprise High (K-12) by assigning students in grades K-8 to Harrisonburg Elementary and students in grades 9-12 to Harrisonburg High; and assign Manifest students in grades 6-7 to Jonesville Jr. High and Manifest students in grade 8 to Block High. Additionally, on July 7, 1994, this Court dismissed a motion to intervene filed by Save Our Schools. On August 7, 1995, this Court authorized the District to close Manifest Elementary (K-5) and to assign those students to Jonesville Elementary and Jr. High.

On March 13, 2012, this Court authorized the District to: consolidate Harrisonburg Elementary (K-8) and Harrisonburg High (9-12), with all students assigned to the elementary school building; and consolidate Martin Jr. High (5-8) with Sicily Island Elementary (K-4) and Sicily Island High (9-12) at the shared elementary and high school site. ECF Doc. No. 11.

On July 12, 2013, this Court held a telephonic status conference, after which the Court issued an order requiring the parties to "confer and submit to the Court **within thirty (30) days**, a scheduling order to govern the further progress of this case." ECF Doc. No. 20 (emphasis in original). Subsequent to the entry of that order, the United States and the District conferred about possible modifications to the then-extant student assignment plan and to monitor the District's compliance with the extant desegregation order.

Most recently, on March 14, 2018, the United States requested data from the District to supplement the information supplied to the Court in the District's annual filing. The United States also conducted a site visit of the District on May 8-9, 2018. During that site visit, the United States specifically sought information regarding teacher retention and allocation of resources, including facility repair and refurbishment, at the individual schools.

On September 18, 2018, a community contact informed the United States of student and community protests regarding the conditions at Block High, including the upkeep of facilities, quality of materials/academic resources, and the qualifications and assignment of teaching staff. The United States actively monitored the situation. On October 2, 2018, Superintendent Gwile Freeman publicly announced a plan to close Jonesville Jr. High by consolidating grade 6 into Jonesville Elementary School and grades 7-8 into Block High, and to fix the problems at Block High.<sup>1</sup> On October 3, 2018, the United States reached out to District's counsel to request a telephone conference.

On October 9, 2018, the United States spoke with the District about the issues raised by the Block High community, as well as other potential issues. The United States confirmed the District's publicly stated plan to make repairs to Block High School, and to consolidate Jonesville Jr. High into Jonesville Elementary and Block High. By consolidating the schools, the District represented that it could increase the number of certified teachers at Block High by reassigning those currently teaching at Jonesville Jr. High. The United States advised the District that it would not oppose a motion to consolidate and encouraged the District to timely file a motion seeking authorization from this Court.

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<sup>1</sup> <https://www.myarklamiss.com/news/local-news/officials-promise-change-in-the-catahoula-parish-school-system/1493762583> (last visited February 13, 2018).

## II. District Student Demographics

Catahoula Parish Schools currently enroll 1,223 students, of which 730 (60%) are white, 465 (38%) are black, and 28 (2%) are other. Since 2013, the District experienced an overall 17% decline in enrollment. While the enrollment of white students increased by 3% (from 57% to 60%) the enrollment of black students decreased by 4% (from 42% to 38%). The District currently consists of six schools. The following chart summarizes the enrollment at each school:

School	Grade	Black	White	Other	Total
Block High	9-12	111 (58.5%)	75 (39.5%)	4 (2%)	190
Central High	K-12	5 (7.5%)	62 (92.5%)	0	67
Harrisonburg High	K-12	41 (12%)	289 (85%)	10 (3%)	340
Jonesville Elementary	K-5	127 (48%)	132 (50%)	4 (2%)	263
Jonesville Jr. High	6-8	59 (51%)	55 (47%)	2 (2%)	116
Sicily Island	K-12	122 (49%)	117 (47%)	8 (3%)	247
<b>Total</b>		<b>465 (38%)</b>	<b>730 (60%)</b>	<b>28 (2%)</b>	<b>1,223</b>

## III. Now This News Report

On January 23, 2019, Now This News posted a video titled *How Black High School Students Are Hurt by Modern-Day Segregation* on its YouTube channel.<sup>2</sup> The video included interviews with several Block High students and community members describing a perceived lack of certified teachers and unsafe physical conditions at Block High. The video noted physical disparities between the Block High and the Harrisonburg High facilities and educational materials, and alleged that the District's current annual budget allocated \$20,000 for facility upkeep and repair at Harrisonburg High, while only allocating \$20,000 for the combined upkeep

<sup>2</sup> <https://www.youtube.com/watch?v=od3s3lZWbWM> (last visited February 13, 2019).

of Block High, Jonesville Elementary, and Jonesville Jr. High. The video also asserted that fewer graduates from Block High School attend college than those that graduate from Harrisonburg High.

#### A. Use of Unqualified Teachers

The Louisiana Department of Education (LDE) compiles data regarding student academic performance at Louisiana schools.<sup>3</sup> According to LDE, 86% of students at Block High graduate, compared to 92% at Harrisonburg High and 94% at Sicily Island. Forty-two percent of Block High and 45% of Sicily Island graduates enroll in college, compared to 63% of Harrisonburg High graduates. LDE does not provide data regarding college enrollment of Central High graduates, but according to the school's principal, only 10% go on to college or university.<sup>4</sup>

As evidenced by the annual court filings, Block High and Jonesville Jr. High consistently experience higher annual teacher vacancies than other schools in the District. During the United States' site visit, Superintendent Freeman acknowledged that the District often had difficulty recruiting certified teachers and noted a particular difficulty in retaining teachers without contacts in the local community of their assigned school. She attributed the latter issue to a dearth of available housing in the parish. The District often hires retired teachers to fill vacancies in all schools under a qualified teacher shortage exemption. The principals at

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<sup>3</sup> <http://louisianaschools.com/> (last visited February 19, 2019). LDE also compiles data on the percentage of classes taught by appropriately certified teachers. According to LDE, appropriately certified teachers lead 66% of the classes at Block High, compared to 61% at Harrisonburg High School, 99% at Jonesville Elementary School, 56% at Jonesville Jr. High, 77% at Sicily Island, and 83% at Central. As a more direct comparison, appropriately certified teachers instruct 74% of the combined K-12 classes at Jonesville Elementary, Jonesville Jr. High and Block High, in comparison to 61% at Harrisonburg High.

<sup>4</sup> Students choose not to attend institutions of higher education for a number of reasons. While the United States cannot enumerate all the reasons for lower rates of higher education attendance by Block High, Central High or Sicily Island graduates, both the principals at Sicily Island and Central High noted that a number of their students seek early graduation from high school in order to enter the work force to provide financial assistance to their families.

Jonesville Jr. High and Block High attributed the high teacher attrition at their schools to the District's lower rate of pay than neighboring districts and charter schools, and the inability to retain teachers without roots in the community. The principals at Harrisonburg and Central High Schools attributed their low annual teacher vacancies to their teachers' strong community ties.

To address the qualified teacher shortage, the District applied to participate in the Central Louisiana Instructional Program (CLIP) in 2018. In return for a promise to teach in the District for at least three years, CLIP teaching residents receive stipends to cover the costs of tuition for a degree in math or science instruction, an annual stipend of \$36,000 during their residency, and the support of a coach during the first two years of teaching. In addition, the District used other grant proceeds to establish teacher support groups at Block High intended to increase teacher retention.

#### B. Disparity in Physical Conditions

Some disparities in physical attributes exist among the District's six schools. Block High's original 1930s building, while not outwardly exhibiting disrepair, stands vacant due to an unstable second floor. The school uses the ground floor auditorium for assembly purposes only. Students attend class in two permanent brick buildings erected in the 1980s, which surround the original building in an "L" shape. The floors, walls, ceilings, and amenities of the additions, at the time of the May 2018 site visit, appeared aged and presented in need of some cosmetic repair. Permanent buildings in good condition stand across the street from the main campus, and house the school's dual enrollment and computer labs. The gym presents in good repair, with quality wooden floors.

Near century-old brick buildings likewise house part or all of Jonesville Elementary, Jonesville Jr. High, and Sicily Island. Peeling black paint covers a number of the windows at all three schools, and some cracked windows are evident at Jonesville Elementary. A portable

classroom serves as the computer lab at Sicily Island. The floors, walls, and ceilings throughout the three schools present as aged, and some areas are in need of refurbishment.

A medley of five older concrete and portable buildings comprise Central High. While the permanent buildings appear aged, none need repair as the citizens of Larto, where the school is located, passed a small property tax in 2010 to support school renovations. The large windows of the portable classrooms provide bright light to the compact and clean spaces.

Of the six schools, Harrisonburg exhibits higher quality physical conditions. The District credited Harrisonburg's lack of disrepair to substantial renovations performed in the 1990s supported by funds raised through a property tax the citizens of the Town of Harrisonburg passed. The District informed the United States that no major repairs have been performed since that time.

On July 21, 2007, the District put a bond measure on the ballot to raise funds to build a new consolidated school building to house all students in the school system in grades 9-12. Parish voters defeated the measure. In order to conserve and better allocate resources, the District consolidated grades K-12 in Harrisonburg and Sicily Island, respectively. The District also considered consolidation of Jonesville Elementary, Jonesville Jr. High and Block High, but determined none of the three existing schools in Jonesville could house grades K-12. The District expects the consolidation of Jonesville Jr. High in Jonesville Elementary and Block High to save approximately \$400 thousand annually, which will assist in facility upkeep.

According to data provided to the United States, between the 2014-15 school year and the present, the District allocated 34% of its repair/renovation budget to Block High, which enrolls 15.5% of the District's students. Jonesville Elementary and Jonesville Jr. High, which serve 21.5% and 10% of the District's enrolled students, each received 10% of the repair/renovation budget. Harrisonburg High, which serves 28% of the District's student population, received 22%

of repair/ renovation expenditures, while Central High received 6% and Sicily Island received 18%.

To supplement its repair and renovation budget, the District applies for grants to fund specific renovation projects at the schools. A 2002 Qualified Zone Academy Bond low-interest loan allowed the District to purchase and renovate the buildings that house Block High's computer and dual enrollment classroom. The same loan allowed for construction and upkeep at Sicily Island High. A similar low-interest loan resulted in the replacement of the electrical and plumbing infrastructure at Jonesville Jr. High.

Few disparities exist between the educational materials provided to students at the six schools. During the May 8-9, 2018, site visit, the United States observed the presence of Chromebook tablets, funded through grant monies and assigned to students at a one-to-one ratio, at every school. Every school maintained a computer lab with computers, obtained through grant monies, of equal age and condition. All classrooms contained smart boards. Each school that serves grades 9 – 12 contains a dedicated room with video access for students to attend virtual dual enrollment classes. All schools serving grades 6-12 contain science labs, although some disparities exist between the science equipment available at each school. For example, Jonesville Jr. High possesses microscopes, while Harrisonburg High does not. The District explained the difference as the result of individual science teachers obtaining equipment through grants.

#### **IV. CONCLUSION**

As shown above, the United States continues to monitor and communicate with the District regarding its compliance with the extant desegregation order, including issues around recruiting and retaining qualified teachers, and the condition of facilities and resources at individual schools. Pursuant to the Court's order, the United States will appear at the March 20,



2019, hearing and additionally address why sanctions should not be issued under Fed. R. Civ. P. 11, along with the issue of whether a special master should be appointed to oversee the parties' cooperation in future work toward desegregation in Catahoula Parish schools.

Dated: February 28, 2019

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 28, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all parties.

/s/ Colleen Phillips  
Colleen Phillips, Trial Attorney